

**Policy Title:** Member Protection Policy

**Date of Issue:** January 2007

**Policy Coverage:** All Members, Staff & Volunteers

**Date of Review:** January 2007

**Controlling Body:** Directors

## STATEMENT OF COMMITMENT

The Management of Jollettes Gymnastics is committed to obtaining the highest standards of member protection and believes that all members have a right to participate in an environment free from discrimination, harassment and victimisation, where individuals are treated with respect and dignity. These standards will be achieved by:

- Ensuring management, staff, volunteers and members follow their documented roles and responsibilities
- Ensure coaches abide by the Gymnastic Australia Coaches Code of Ethics (especially in relation to Intimate Relations and Child Protection)
- Ensure all members abide by Jollettes Gymnastics club rules, regulations and codes of behaviour and the Gymnastics Australia Member Protection Policy
- Enable all members access to Jollettes Gymnastics Privacy Statement
- As Jollettes Gymnastics is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in Jollettes activities, any person involved in the instruction, management or coaching of any member under the age of 18 years may be required to undergo screening procedures including police and other probity checks.

## POLICY APPLICATION

This policy applies to all staff, members and volunteers. Core activities include:

- Administration
- General class training
- Conduct of competitions/events
- Holiday and school clinics
- Working bees
- Fundraising

This policy applies to behaviour occurring both within and outside the course of Jollettes business, activities and events when the behaviour involves Members and negatively affects relationships within the Jollettes environment.

## **POLICY DEFINITION**

The term "Member" in this definition refers to any and all Directors, Staff (including administrative and coaching staff), Volunteers, Participants and Spectators.

Discrimination and all forms of harassment are unlawful under federal, state and territory law. People engaging in such conduct can have legal action taken against them under these laws. In some cases, legal action can also be taken against the organisation for which they work or represent. For this reason, Jollettes Gymnastics has a legal responsibility to ensure that discrimination or harassment does not occur in the course of any of Jollettes Gymnastics' activities.

The law is always the minimum standard for behaviour within Jollettes Gymnastics and therefore any criminal offence will be reported to the appropriate authorities.

### **Discrimination**

- It is unlawful to treat anyone unfairly on the basis of various attributes or personal characteristics in key areas of public life
- A Member must not treat a person less favourably than another person on the basis of an attribute (such as race, sex, age, marital status, sexuality, pregnancy or intellectual or physical impairment) than someone else without that attribute in the same or similar circumstances.
- Indirect discrimination is also unlawful. This means that a Member cannot impose a requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect or result on particular groups. Unless this type of requirement is reasonable in all circumstances, it is likely to be classed as indirect discrimination, even if there was never any intention to discriminate.

### **Harassment**

- Harassment can take many forms but can generally be defined as unwelcome verbal or written comments, conduct, or gestures directed toward an individual or group of individuals that the harasser knows, or should reasonably be expected to know, is insulting, intimidating, humiliating, malicious, degrading or offensive.
- Sexual harassment is behaviour that has a sexual element, that is unwelcome and could reasonably be expected, in the circumstances in which it occurs, to offend, humiliate or intimidate the person or people at whom it is directed.
- A Member must not engage in any form of harassment, including:
  - Written, verbal or physical abuse or threats
  - Unwelcome physical contact
  - The display of offensive materials
  - Promises or threats in return for sexual favours
  - Unwelcome sexual comments, jokes or propositions
  - Homophobic comments or behaviours
  - Jokes or comments directed at a person's body, looks, age, race, disability, sexuality, marital status or pregnancy

### **Intimate Relations**

- Jollettes Gymnastics takes the view that intimate sexual relationships between legally consenting coaches and athletes, or fellow staff members/volunteers, while not necessarily constituting unlawful harassment, can have harmful effects on the individuals involved, on other athletes and coaches, and on the sport's public image.

- Because there is always a risk that the relative power of the coach has been a factor in the development of such relationships, Jollettes Gymnastics takes the position that such relationships should be avoided by coaches working at all levels.
- Should a sexual relationship develop between an athlete and a coach, or staff members/volunteers, Jollettes Gymnastics will investigate whether any action against the person in the senior position is necessary. If Jollettes Gymnastics determines that the sexual relationship is inappropriate, action may be taken to terminate the coaching relationship with the athlete, or to separate the staff members/volunteers. Action may include transfer of the person in the senior position, a request for resignation or dismissal from employment/coaching duties.
- In the event that an athlete, staff member or volunteer attempts to initiate an intimate sexual relationship, the coach or senior staff member must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action.
- The law is always the minimum standard for behaviour within Jollettes Gymnastics and therefore sex with a minor, of either the same or the opposite sex, is a criminal offence and will be reported to the appropriate authorities.

### **Victimisation**

- A Member must not subject any person to victimisation
- Victimisation means subjecting a person, or threatening to subject a person, to any detrimental or unfair treatment because that person has or intends to pursue his or her right to make a complaint or support another person in making a complaint against another person.

### **Child Protection**

- Jollettes Gymnastics will not employ or engage a person (whether paid or unpaid) to coach or otherwise supervise a child under the age of 18 years without first:
  - Requiring that person to disclose whether or not he or she has been convicted of a serious sexual offence.
  - Conducting a police or other appropriate probity check on that person
- Jollettes Gymnastics **MUST** notify the appropriate authorities (such as the Commission for Children and Young People) of:
  - Any applicants for employment that Jollettes Gymnastics rejected as a result of risks identified through the screening processes
  - The name and other identifying details of any person against whom relevant disciplinary proceedings have been completed by Jollettes Gymnastics in relation to child abuse (sexual or otherwise) irrespective of the findings.

## **REQUIREMENTS & RESPONSIBILITIES**

This section specifies the roles and responsibilities of all parties involved in club activities.

### **Directors**

- Comply with this policy.
- Ensure that all roles and responsibilities within the club are documented and available to management, staff, members and volunteers
- Ensure that the Gymnastic Australia Coaches Code of Ethics is available to all coaching staff
- Ensure that the club rules, regulations and codes of behaviour are documented and available to management, staff, members and volunteers
- Ensure that the Jollettes Gymnastics Member Protection Policy is documented and available to management, staff, members and volunteers

## Management Team

- Comply with this policy
- Ensure that all roles and responsibilities within the club are documented and available to management, staff, members and volunteers
- Ensure that the Gymnastic Australia Coaches Code of Ethics is available to all coaching staff
- Ensure that the club rules, regulations and codes of behaviour are documented and available to management, staff, members and volunteers
- Ensure that the Jollettes Gymnastics Member Protection Policy is documented and available to management, staff, members and volunteers

## Head Coach

- Comply with this policy
- Ensure that all coaches abide by the Gymnastic Australia Coaches Code of Ethics
- Ensure that all members have access to and abide by club rules, regulations and codes of behaviour
- Ensure that members have access to Jollettes Gymnastics Member Protection Policy

## Assistant Coach

- Abide by the Gymnastics Australia Coaches Code of Ethics
- Abide by Jollettes Gymnastics club rules, regulations and codes of behaviour
- Abide by Jollettes Gymnastics Member Protection Policy

## Athletes/Volunteers/Visitors/Parents

- Abide by Jollettes Gymnastics club rules, regulations and codes of behaviour
- Abide by Jollettes Gymnastics Member Protection Policy

## POLICY BREACHES AND CONSEQUENCES

- The first breach of this policy by an individual will incur a verbal warning.
- The second breach of this policy by an individual will incur a written warning.
- If an individual breaches this policy for a third time, or if any breach results in criminal charges, the individual will be permanently excluded from further participation in any Jollettes Gymnastics activities. If the individual is a member of staff, this will include immediate termination of their employment contract.

## CONFIDENTIALITY & REPORTING

All records and reports relating to this policy and any breaches thereof will be forwarded to the Administration Manager, who will ensure they are stored safely and securely. Names of individuals permanently excluded from participating in Jollettes Gymnastics activities will be forwarded to all Head Coaches. Any other information relating to any breaches of this policy, or action taken, will only be released when required by law or requested by the governing body (Gymnastics Australia).

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Nelleck Jol - Director

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Date

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Date

### Disclaimer

Please note that this information is not intended to constitute legal advice, and is provided as general information only. You should not rely on it without first verifying the accuracy, completeness and currency of the material, and its relevance to your individual circumstances.